

Norris  
10/705,569

#### REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised below.

Claims 1 and 4 were objected to because of a number of informalities. These have been corrected.

Claims 1-6 were rejected as being anticipated by Abrams 5,799,792 which discloses nestable containers similar to that of the present invention, with a number of important differences.

In Abrams, the lid has one channel for covering the top of the container and a second different channel for attaching to the base of the container. See Figs. 2a and 3a, channels 34 and h-shaped member, and col. 3, lines 38-46 and 66-67. In the present invention, there is only a single channel on the lid with identical lips on top and bottom of the container. In addition, the channels (and matching lips) extend vertically, whereas in the present invention the lips extend outwardly with matching channel (see Figs. 4 and 5).

Claim 1 has been extensively amended to recite these features in detail and so should now clearly distinguish over Abrams (as well as Adams – not used to reject any claims – which has a completely different arrangement).

Depending claim 2 has been amended to call for more details of the lid.

Depending claim 5 has been amended to recite a further distinguishing feature of the present invention, to wit, the container is part of a set of containers of different sizes, with the lids color coded to the bases of the containers. In Abrams, col. 5, lines 46-50, teaches color coding the lids to the containers, in other words, the lid has the same color as the container. In the present invention, the color of the lid matches the color of the base lip (see page 36 of the specification), a further distinguishing feature. This could be significant because the color of the container could affect the appearance of any food contained therein.

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Claim 6, which is drawn to a plurality of nestable containers, has been amended similarly in fashion to claim 1.

It is noted that the Examiner did not include a rejection of method claims 7-12. The following discussion is based upon a presumed rejection of these claims using the same art.

Claim 7 has been amended to include the distinguishing features added to claim 1. The remaining claims, all depending from claim 7 have been amended (except for claims 10 and 12 which have been canceled) to improve the language and clarify some aspects of the claim language.

For the reasons given above, it is believed that all of the claims remaining distinguish over the above references and should be allowed.

A conscientious effort has been made to place this application in condition for immediate allowance. The Examiner is requested to call the undersigned or Mr. Kroll if further changes are required to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



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Leonard Belkin